

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MALIK MUHAMMAD, 96-A-3015,

Plaintiff,

08-CV-473(Sr)

v.

LESTER WRIGHT, et al.,

Defendants.

DECISION AND ORDER

By Decision and Order entered December 9, 2008, the Court granted plaintiff permission to proceed *in forma pauperis* and directed the Clerk of the Court to cause the United States Marshals Service to serve the summons and complaint on the defendants. Dkt. #3. Plaintiff completed the necessary summonses and Marshals Service Return and Receipt of Service Forms, and summonses were issued on January 13, 2009. The summons and complaint and the Marshals Forms forwarded to Registered Nurse Baldwin was returned to the Marshals Service with a notation of “RTS – Cannot Identify.” Dkt. #4.

The Court requests that the New York State Attorney General’s Office ascertain a proper address for defendant Baldwin pursuant to *Valentin v. Dinkins*, 121 F.3d 72 (2d. Cir. 1997) (per curiam). The Attorney General’s Office need not undertake to defend or indemnify Registered Nurse Baldwin at this juncture. This order merely provides a means by which the Marshals Service may properly serve Registered Nurse

Baldwin as instructed by the Second Circuit in *Valentin*. The New York State Attorney General's Office is hereby requested to produce the information specified above to the undersigned by **November 6, 2009**.

Plaintiff is granted an additional 90 days to effect service of the summons and complaint upon defendant Baldwin. See Fed.R.Civ.P. 4(m).

SO ORDERED.

DATED: Buffalo, New York
October 6, 2009

s/ H. Kenneth Schroeder, Jr.
H. KENNETH SCHROEDER, JR.
United States Magistrate Judge